

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS ESCAMILLA,

Defendant.

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Case No. 8:05CR402

ORDER

This case is before the court on the defendant's Motion to Review Detention and Request for Evidentiary Hearing (#9). The motion requests that the defendant be allowed to reside at CH, Inc. Upon receipt of the motion, the court requested that Pretrial Services refer the defendant to CH, Inc., for possible placement. On December 29, 2005 I received a Memorandum from Pretrial Services that the defendant had been denied placement at CH, Inc., based on his criminal record.

Therefore, the defendant's Motion to Review Detention is denied.

IT IS ORDERED:

1. Defendant's Motion to Review Detention (#10) is denied without hearing.

Dated this 29th day of December 2005.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge